

From: Jeff DuDeVoire
To: Microsoft ATR
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Subject: Microsoft Settlement

I would like to comment on the Microsoft settlement as provided in the Tunney Act.

Microsoft's products need to be made as transparent as possible so that developers can create software that works just as well with any Windows OS as any other Microsoft product. This means opening the API to all middleware developers and allowing them to see how best to interface with OS.

Also, API must be defined so that it is open to all to see and use. Without complete access to the Windows API outside developers will be at a disadvantage and Microsoft will be able to maintain its monopoly.

Finally there does not seem to be any effective enforcement of the judgment. Microsoft has been found guilty of destroying competition and harming the market place. This has resulted in inferior products to consumers and the stunting of innovation in the market place. Was a product like Netscape better than Internet Explorer, we will never know because of Microsoft's actions. What other ideas and innovations that could have revolutionized the market place were stopped dead because of Microsoft's actions. An excellent example of competition has been the chip wars between Intel and AMD. They have pushed each other to create better and better processors at lower costs. The result has been that today we have processors that perform at speeds unthinkable a few years ago. What would the market be like if other OS's and software developers had a level playing field? Microsoft must open its API's and be forced to conduct their business in the most transparent way possible. If other cannot compete fairly it is Capitalism, Consumers, and the Market place that loses.

Thank you for you time,

Jeffrey C. DuDeVoire